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**Legal status of Roman soldiers - (C.) Schmetterer Die rechtliche Stellung  
römischer Soldaten im Prinzipat. (Philippika 54.) Pp. xii + 130.  
Wiesbaden: Harrassowitz, 2012. Paper, €38.80. ISBN: 978-3-447-06727-0.**

Speidel, Michael A

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The book is not always very accessible in terms of writing style and organisation of the material, and this is regrettable, considering the importance of the research. In order to follow M.'s reasoning fully, the reader needs to have a sound knowledge of Roman law, familiarity with juridical Latin terminology and some initial knowledge of the material he examines. At times evidence that occupies an important place in M.'s argumentation is not fully explained or referenced in such a way as to allow the reader to follow it up (e.g. at pp. 224ff. the instance of the *tabula Clesiana*). The attempt to avoid unnecessary repetitions has led to an internal organisation that is not very user-friendly. For references to primary material discussed in Section 2 the reader needs to consult the Gazetteer, but no help is offered by the numbering of entries or page cross-referencing. The lack of a well-developed concluding chapter that pulls together the many strings of this rich study is another shortcoming that will make it difficult for a wider academic readership (including advanced postgraduates) to get the most out of this book.

The book is well-produced with only occasional typos/editorial inconsistencies. The decision to forgo any graphic apparatus in order to keep book size and cost down is understandable, but a few geographical maps would have been highly desirable.

These criticisms aside, there is no doubt that this is a solid piece of scholarship, which makes an important contribution to our understanding of the acquisition, geography and management of imperial properties in Italy in the first two centuries of the empire. It is a book that will become important reading for all those interested in the formation and management of landed wealth and the economy of Roman Italy as a whole, and it will certainly stimulate further research in the field.

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## LEGAL STATUS OF ROMAN SOLDIERS

SCHMETTERER (C.) *Die rechtliche Stellung römischer Soldaten im Prinzipat*. (Philippika 54.) Pp. xii + 130. Wiesbaden: Harrassowitz, 2012. Paper, €38.80. ISBN: 978-3-447-06727-0.

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Rules and regulations, privileges and bans, and military law (*ius militare*) defined the Roman soldier's legal status and governed most of his daily life. Even after his honourable discharge, they affected his life as a veteran. They also described his official relation to the Roman state (the *res publica Romana*) and to the emperor. The Roman soldier's legal status also had a major influence on his behaviour towards civilians. Issues of such historical scope, therefore, naturally attract scholarly interest. Hence S.'s book (the published version of his 2005 doctoral dissertation at the old and renowned Faculty of Law of the University of Vienna) has several predecessors.<sup>1</sup> Yet S. chose not to inform his reader in what way his book differs from earlier attempts at the same subject, and why he felt that it was necessary to re-examine the Roman soldier's legal position. Moreover, S. presents his subject in a

<sup>1</sup>Cf., e.g., E. Sander, 'Das Recht der römischen Soldaten', *RhM* 101 (1958), 192–234; C.E. Brand, *Roman Military Law* (1968); R.F. Renz, *The Legal Position of the Soldier and Veteran in the Empire* (Diss. phil. Fordham University, 1972); J.H. Jung, 'Die Rechtsstellung der römischen Soldaten', *ANRW* II 14 (1982), 882–1013; G. Wesch-Klein, *Soziale Aspekte des römischen Heerwesens in der Kaiserzeit* (1998).

descriptive and summarising style, without presenting his methods and objectives, and without an analytical approach. An overview and full discussion of the sources is also missing. S. claims in his preface that he has taken all relevant books and articles published before the end of 2010 into account. However, his patchy bibliography falls far short of this ambitious goal. Thus, the two most recent publications date only to 2003, a third one was published in 2002 and another in 2001. The few other publications from after 2000 are all lexicon articles from 'Der Neue Pauly' dating from 2001 and 2002. Ignoring the results of practically an entire decade of research is hardly a serious attempt at an intellectual engagement on a scientific level with the subject of a doctoral thesis. Unfortunately, the rest of the book confirms this impression.

The slim volume of 114 pages of text is divided into twelve mostly short and sweeping chapters, of which the first and the last comprise a brief introduction and the conclusion respectively. Chapters 2 and 3 are dedicated to the organisation and the branches of the imperial Roman army and its development since the early Republic, as well as to recruitment and conditions of service. This might have been the place to investigate the scope and the development of the *ius militare* with respect also to the differences in Rome's treatment of the various branches of the army. Yet, throughout the book (with few exceptions), historical development receives insufficient attention. Chapter 4 is on penal law but the few pages fall far behind earlier treatments of the same subject. Chapter 5 treats the soldier's income and property as summarised in 1998 by G. Wesch-Klein (cf. n. 1.). S. is at his best when presenting legal issues such as the *peculium castrense* (goods acquired during military service) and its development over time, as in Chapter 6. Next, a chapter of little more than two pages on soldiers' clubs (*collegia*) is followed by one on marriage law and the legal restrictions on soldiers' marriages, including lengthy quotations from Greek papyri. S., of course, could not have known that a new military diploma, which was published only in 2011, now shows that Septimius Severus never abolished the ban on legal marriage for soldiers serving in the Roman army.<sup>2</sup> Hence all reconstructions of the legal aspects of soldiers' unions with their women now need to be reconsidered. The book continues with a chapter on inheritance law followed by a few remarks on captivity and the *ius postliminii* (Chapter 10). A final chapter discusses discharge and veteran status (pp. 88–111). Although S. recognises the importance of the documentary evidence in such respects, military diplomas in particular, he did not take the trouble to make full use of these texts. P. Holder's *Roman Military Diplomas* V (2006), the many diplomas published in recent years in the journals *Chiron* and *Zeitschrift für Papyrologie und Epigraphik* and others, and even the *Année Épigraphique* all appear to be unknown to S. It comes as no surprise, therefore, that several conclusions are based on an obsolete state of research. To mention just one example, S. believes that all military diplomas for the Emperor's horseguard (*equites singulares Augusti*) date to the reign of Severus Alexander (222–235 C.E.), and takes this to draw a number of conclusions on the Roman citizenship of the soldiers serving in the horseguard. However, already in 1994 U. Stylow published a diploma for an *equus singularis Augusti* from the reign of Hadrian (8 April 133 C.E.) in *Chiron* 24. This diploma has since been reproduced in all relevant collections such as *RMD* III 158; *AE* 1994, 1519; M. P. Speidel, *Die Denkmäler der Kaiserreiter* (1994) 758, etc. Moreover, further second century diplomas for the Emperor's horseguard have been published since. It would not have

<sup>2</sup>W. Eck, 'Septimius Severus und die Soldaten. Das Problem der Soldatenehe und ein neues Auxiliardiplom', in B. Onken and D. Rohde, *In omni historia curiosus. Studien zur Geschichte von der Antike bis zur Neuzeit. Festschrift für Helmut Schneider zum 65. Geburtstag* (2011), pp. 63–77.

taken much to find these texts and the relevant published research. The concluding two pages contain further errors.

A short and reliable introduction for students into the Roman soldier's legal position might have been desirable, just as a thorough scholarly treatment may have. This, unfortunately, is not the most accurate and up-to-date treatment of the subject, nor does S.'s book live up to what one might expect from a European doctoral thesis.

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## AN INTRODUCTION TO THE THIRD CENTURY A.D.

ANDO (C.) *Imperial Rome AD 193 to 284. The Critical Century*. Pp. xiv + 256, ill., maps. Edinburgh: Edinburgh University Press, 2012. Paper, £29.99 (Cased, £95). ISBN: 978-0-7486-2051-7 (978-0-7486-2050-0 hbk). doi:10.1017/S0009840X14001450

The third century is a very difficult period to cover in any one study, particularly a relatively short work of introduction. Over the years, the political, military, economic and demographic challenges faced by the Roman Empire from the reign of Commodus to the accession of Diocletian have been the subjects of books in their own right, and there is a danger that any introduction to long periods of time ends up being too superficial, mostly laying out the historical narrative, or too devoted to a selection of themes, missing out on other important topics and so not offering the reader a sufficient understanding of the period in question. A.'s book in *The Edinburgh History of Ancient Rome* series faces these challenges and provides an interesting introduction to what A. calls the 'critical century'. In a mixture of narrative and thematic chapters, A. delivers a general overview of the political and military situation under rapidly changing emperors and a more thorough discussion of aspects of law and citizenship under Caracalla (Chapter 4), religion (Chapter 6) and government (Chapter 8).

In Chapter 1 A. notes four important transformations between 192 and 284 which contributed to the changes Rome and the Empire experienced: the many wars Roman emperors or their commanders fought on different fronts simultaneously; the inability amongst the political elite to agree on a working system of succession; Caracalla's extension of Roman civic rights to the provincial population; and changes in the religious landscape in terms of both new and already well-known cults. A. points out how the second century was not quite as politically harmonious as earlier scholars thought it to be, not least Gibbon, and reminds the reader that M. Aurelius, the first emperor to have a son ready for succession, broke the tradition of adopting a successor from among the senators. Another important aspect is the changes to the organisation of the army, notably the transfer of resources from the people to the soldiers through taxation, thus changing soldiery from a civic obligation to a career.

In Chapter 2 A. combines historical narrative from the accession of Pertinax to the death of Septimius Severus with a survey of the available evidence: Cassius Dio, Herodian and the *Historia Augusta* are introduced together with epigraphic sources. A. offers a helpful introduction on how to read honorific inscriptions and gives the thoughts of the ancient historians space to express themselves in a number of useful citations. The question of how to use the *Historia Augusta* is complicated, but some thoughts